

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PROTECT WEST CHICAGO,)

Petitioner,)

v.)

CITY OF WEST CHICAGO, WEST)

CHICAGO CITY COUNCIL, and)

LAKESHORE RECYCLING SYSTEMS,)

LLC,)

Respondents)

PEOPLE OPPOSING DUPAGE)

ENVIRONMENTAL RACISM,)

Petitioner,)

v.)

CITY OF WEST CHICAGO and)

LAKESHORE RECYCLING SYSTEMS,)

Respondents.)

PCB No: 2023-107
(Pollution Control Facility Siting Appeal)

PCB No: 2023-109
(Third-Party Pollution Control Facility Siting Appeal)

NOTICE OF FILING

To: **See Attached Service List**

PLEASE TAKE NOTICE that on June 8, 2023, Protect West Chicago electronically filed with the Illinois Pollution Control Board, 60 E. Van Buren Street, Suite 630, Chicago, IL 60605, an original of the attached: **Agreed Revised Motion to Set Discovery and Briefing Schedule with the Illinois Pollution Control Board**, copies of which are attached and served upon you.

Dated: June 8, 2023

Respectfully Submitted,



Ricardo Meza
Attorney for Protect West Chicago

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CERTIFICATE OF SERVICE

I, Ricardo Meza, an attorney, certify that I have served the attached: **Agreed Revised Motion to Set Discovery and Briefing Schedule with the Illinois Pollution Control Board**, on the below-named parties (Service List) by delivering the document to them via electronic mail on June 8, 2023 and via the PCB's Clerk's Office electronic filing system.



Ricardo Meza

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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v.)	PCB No: <u>2023-107</u>
)	(Pollution Control Facility Siting Appeal)
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**PROTECT WEST CHICAGO’S AGREED REVISED
MOTION TO SET DISCOVERY AND BRIEFING SCHEDULE**

NOW COMES the Petitioner, Protect West Chicago, (“PWC”), by and through its attorney, Meza Law, and hereby files its Agreed Revised Motion to Set Discovery and Briefing Schedule with the Illinois Pollution Control Board.

1) Per the April 21, 2023 Order of Hearing Officer Bradley Halloran, the parties submitted a proposed Discovery Schedule, attached as Exhibit 1 to this Motion.

2) After submitting the proposed Discovery Schedule, the parties engaged in the issuance of written discovery which resulted in the filing of objections, a Response to the objections by PWC and a Motion for Leave to File a Reply to PWC’s Response by the City of West Chicago.

3) As of this writing, a ruling on the objections to the written discovery is pending and under consideration by the Illinois Pollution Control Board.

4) On May 30, 2023, pursuant to 35 Ill. Admin. Code 101.308(c)(2), Lakeshore Recycling Systems, LLC agreed to and did waive until December 7, 2023, the deadline imposed by statute upon the Pollution Control Board to issue its decision in regard to PWC's petition, as well as the petition of PODER.

5) Thus, because of the pending motions and the agreed upon extension noted above, the parties propose and have agreed on the below Revised Discovery and Briefing Schedule in this consolidated matter:

- a. Depositions to be completed: No Later than July 28, 2023.
- b. Petitioners' Opening Brief: No Later than September 1, 2023.
- c. Response Brief: No Later than October 2, 2023.
- d. Reply Brief: No Later than October 27, 2023.

WHEREFORE, PWC and the parties in this matter, respectfully requests the PCB to enter an Order setting the above referenced Discovery and Briefing Schedule. And to order any such other and further relief as the Board deems appropriate.

Dated: June 8, 2023

Respectfully Submitted,



Ricardo Meza
Attorney for Protect West Chicago

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